

Article - Election Law

§10–312.

(a) (1) The right of an individual to vote may be challenged at the polls only on the grounds of identity.

(2) An individual whose right to vote is challenged at the polls may establish the individual's identity by presenting any of the following forms of identification:

- (i) the individual's voter registration card;
- (ii) the individual's Social Security card;
- (iii) the individual's valid Maryland driver's license;
- (iv) any identification card issued to the individual by a political subdivision of the State, the State, the federal government, or any unit of a political subdivision of the State, the State, or the federal government;
- (v) any employee identification card of the individual that contains a photograph of the individual and is issued by the employer of the individual in the ordinary course of the employer's business; or
- (vi) a copy of a current bill, bank statement, government check, paycheck, or other government document that shows the name and current address of the individual.

(3) If an individual establishes the individual's identity under paragraph (2) of this subsection, an election judge shall authorize the individual to vote a regular ballot.

(b) A challenge to an individual's right to vote shall be made before the individual is issued a ballot or a voting authority card.

(c) If a challenge is made, and the challenged individual does not present any of the forms of identification specified under subsection (a)(2) of this section, the election judge receiving the challenge shall:

- (1) require the challenger to provide in writing, under penalty of perjury, the reasons for the challenge;
- (2) offer the challenged individual the opportunity to:
 - (i) cast a provisional ballot; and
 - (ii) submit an attestation, witnessed by the election judge, of the individual's identity; and

(3) submit the provisional ballot and other materials related to the challenge to the local board.

(d) During the canvass of provisional ballots, the local board shall determine, based on the information submitted by the challenger and the challenged individual, whether the challenged individual is:

- (1) the registered voter he or she claims to be; and
- (2) otherwise qualified to vote.